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DOC #:

DATE FILED: 11-4-14

U.S. Department of Justice

United States Attorney

Southern District of New York

MEMO ENDORSED

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 3, 2014

BY E-MAIL & ECF

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
New York, New York 10007

Re: United States v. Danny Kuo,
12 Cr. 121 (RJS)

Dear Judge Sullivan:

The parties in the above-referenced case respectfully submit this letter in connection with the Court's order at the last conference in this case. At that time, July 1, 2014, Your Honor adjourned sentencing of the defendant and directed that the parties provide the Court with a letter within 48 hours of a decision in the pending appeal of United States v. Todd Newman and Anthony Chiasson, and no later than November 3, 2014, as to the rescheduling of Kuo's sentencing.

Because the decision in that case has not yet issued, for the reasons that the Court articulated at the last conference, the defendant wishes to adjourn sentencing further, and the Government has no opposition to such further adjournment. We therefore respectfully propose that the Court set another control date by which the parties can update the Court; if the pending appeal is decided in the meantime, the parties will of course contact the Court within 48 hours regarding scheduling of sentencing.

Hon. Richard J. Sullivan

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November 3, 2014

Respectfully submitted,

PREET BHARARA
United States Attorney

By: /s/ Harry A. Chernoff
Harry A. Chernoff
Assistant U.S. Attorney
(212) 637-2481

cc: Roland G. Riopelle, Esq. (via email)

IT IS HEREBY ORDERED THAT the parties shall submit a letter no later than the earlier of March 6, 2015 or within 48 hours from the issuance of the Second Circuit's decision in *United States v. Newman* apprising the Court as to whether the parties wish to proceed with sentencing

SO ORDERED
Dated:

11/4/14

RICHARD J. SULLIVAN
U.S.D.J.